

N. YOSHITANI

Application No. 10/649,955

Response to Office Action dated April 28, 2009

REMARKS

Reconsideration and allowance of the subject patent application are respectfully requested.

A Listing of Claims is provided for the Examiner's convenient reference.

Claims 1-19 were rejected under 35 U.S.C. Section 103(a) as allegedly being made "obvious" by a proposed combination of Tsutsui et al. (U.S. Patent No. 5,602,910) and Recht et al. (U.S. Patent No. 5,841,851).

Applicant traverses this rejection for the reasons set forth below.

As an initial matter, the rejection treats claims 1-19 collectively and does not specify, for example, where in the references the features of the dependent claims are found. Consequently, Applicant respectfully submits that the office action fails to set forth an appropriate basis for rejecting at least the dependent claims of this application. Should any rejection of the dependent claims be maintained, Applicant respectfully requests that such rejection identify with particularity where the features of the dependent claims are alleged to be found in the applied reference(s).

The telephone control system of claim 1 comprises a plurality of telephone sets, each of which includes a status setting device, a status discriminator, an incoming-call detector, a notification device and a controller. The status discriminator discriminates status of a plurality lines to be one of on-call status, call holding status and on-hook status.

The office action states that Tsutsui et al. teaches a master telephone, a slave telephone, a status means and status discrimination means. The office action further states that at least element 17 of Tsutsui et al. corresponds to the status discrimination means. Element 17 of Tsutsui et al. is a speech control unit "which is included in the control unit 15 and controls each section other than the portions regarding the radio, display keys, a voice processing circuit and the like and executes application processes regarding various kinds of speeches." Tsutsui et al., col. 2, lines 39-43. Even assuming for the sake of argument that speech control unit 17 is considered to be a status discriminator for the master telephone, claim 1 recites a plurality of telephone sets, each of which includes a status discriminator. There is no identification in the office action of any element of slave telephone 119, for example, which is alleged to correspond

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to a status discriminator and Applicant finds no description in Tsutsui et al. that slave telephone 119 discriminates the status of a plurality of lines as claimed. Consequently, Tsutsui et al. is deficient with respect to the plurality of telephone sets recited in claim 1.

Moreover, as recognized in the office action, Tsutsui et al. is deficient with respect to the claimed incoming call detector and notification device. See 4/28/2009 Office Action, page 2. Recht et al. is cited as allegedly remedying this deficiency. However, as explained below, Recht et al. in fact fails to remedy Tsutsui et al.’s deficiencies and thus, even assuming for the sake of argument that these references were properly combinable, the claimed subject matter would not have resulted.

Recht et al. discloses a multi-line telephone apparatus which purports to “operate flexibly according to different phone line connections.” Recht et al., Abstract. Recht et al.’s apparatus includes a handset 101 and a base station 103. Like Tsutsui et al., Recht et al. does not disclose a plurality of telephone sets each including a status setting device, a status discriminator, an incoming-call detector, a notification device and a controller as claimed. Even assuming that the handset and base station are each considered to be a telephone set, Recht et al. does not disclose or suggest, for example, that the handset include a status discriminator for discriminating the status of a plurality of lines. For at least this reason, the proposed combination of Tsutsui et al. and Recht et al. is deficient with respect to claim 1 and its dependent claims.

Moreover, claim 1 describes that, in a state in which the incoming-call detector has detected a new incoming-call signal from a first line, when the status discriminator discriminates a call holding status for a second line, a controller controls a notification device so that an incoming call is notified by, at least, tone information. When the status discriminator discriminates an on-call status for the second line, the controller controls the notification device so that an incoming call is notified by, at least, visible information. There is no description in Recht et al. that the controller of the handset 101 or base station 103 provides notifications as claimed.

Regarding the incoming call detector and the notification device of claim 1, the office action asserts with reference to col. 6, lines 38-43 of Recht et al. that these limitations are “old in the art.” The referenced passage of Recht et al. states:

Tip line 292 is also coupled to a ring detector 246 which signals microprocessor 212 when a ringing condition exists on the first phone line. Likewise, tip line 296 is coupled to a ring detector 246 which signals microprocessor 212 when a ringing condition exists on the second phone line. Microprocessor 212 may alert the user with audible and/or visual signals when the ringing condition exists on one of the phone lines.

This passage generally describes detecting an incoming call and alerting a user to a ringing condition. However, claim 1 does not simply call for audible and/or visual signals based on a ringing condition of a phone line. Instead, notification by tone information and visible information is based on whether there is an incoming call and the status of a second line (e.g., whether the second line has a call holding status or an on-call status). Nothing in Recht et al. discloses or suggests providing notifications as claimed. That is, there is no disclosure or even suggestion in Recht et al. of controlling a notification device as claimed in dependence on the status of a communication line other than the communication line on which the incoming call is detected.

Consequently, claim 1 and its dependent claims patentably distinguish from the proposed Tsutsui et al.-Recht et al. combination for this additional and independent reason.

The telephone control system of claim 12 includes a plurality of telephone sets connected to multiple communication lines, each telephone set including a status setting device, a status discriminator, an incoming call detector, a notification device and a controller. If the incoming-call detector detects an incoming call signal on a second one of multiple communication lines and the status discriminator discriminates a call holding status for a first one of the communication lines, the controller controls the notification device to provide at least an aural incoming call notification. If the incoming-call detector detects an incoming call signal on the second one of the communication lines and the status discriminator discriminates an on-call status for the first one of the communication lines, the controller controls the notification device to provide at least a visual incoming call notification.

As with claim 1, neither Tsutsui et al. nor Recht et al. discloses or suggests controlling a notification device as claimed in dependence on the status of a communication line other than the communication line on which the incoming call is detected. Consequently, claim 12 and its

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dependent claims 13-16 patentably distinguish over the proposed combination of Tsutsui et al. and Recht et al.

In the telephone system of claim 17, if a master telephone set is engaged in a call over a first one of a plurality of communication lines and an incoming call detector detects an incoming call to the master telephone set on a second one of the communication lines, a notification device of the master telephone set provides at least a visual incoming call notification. If a call in which the master telephone set is engaged on a first one of the communication lines is on-hold and the incoming call detector detects an incoming call to the master telephone set on a second one of the communication lines, the notification device of the master telephone set provides at least an aural incoming notification.

Here again, neither Tsutsui et al. nor Recht et al. discloses or suggests a notification device as claimed that provides an aural or visual notification in dependence on the status of a communication line other than the line on which the incoming call is detected. Consequently, claim 17 and its dependent claims 18-19 patentably distinguish over the proposed combination of Tsutsui et al. and Recht et al.

Favorable reconsideration is respectfully requested.

Respectfully submitted,

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